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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of)

Industry Proposal for)

Rating Video Programming)

97-55
CS Docket No. 97-34

COMMENTS OF THE
CONSUMER ELECTRONICS MANUFACTURERS ASSOCIATION

The Consumer Electronics Manufacturers Association ("CEMA") hereby submits the following comments in response to the Public Notice ("Notice") which the Commission issued in the above-captioned proceeding on February 7, 1997.¹ In the Notice, the Commission has solicited comments on the joint proposal submitted by the National Association of Broadcasters ("NAB"), the National Cable Television Association ("NCTA"), and the Motion Picture Association of America ("MPAA") describing a voluntary industry ratings system for video programming (the "Industry Proposal").

CEMA is the principal U.S. trade association of the consumer electronics industry. CEMA members design, manufacture, import, distribute and sell a wide variety of consumer electronics equipment, including television receivers. CEMA and its members therefore have a significant interest in the outcome of this proceeding.

¹ See "Commission Seeks Comment on Industry Proposal for Rating Video Programming", Public Notice, CS Docket No. 97-55, FCC 97-44 (released Nov. 8, 1996).

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As an association of manufacturers, one of CEMA's goals is to enhance the industry's ability to satisfy the public's demand for increased functionality in television receivers and related products. CEMA, whose engineering committees originated the so-called "V-Chip" concept, has long been involved in addressing technical standards for decoding video programming ratings information, the resolution of which are prerequisites to the commercial introduction of V-Chip equipped television receivers.

The Industry Proposal was submitted to the Commission pursuant to the Telecommunications Act of 1996 ("the 1996 Act"),² in which Congress determined that parents should be provided with information about the nature of upcoming video programming, and that distributors of video programming should be given an initial opportunity to develop a voluntary system to provide such information to parents.³ Congress also determined that parents should be given the technological tools that allow them to easily block violent, sexual, or other programming that they believe to be harmful to their children.⁴

CEMA urges the Commission's approval of a single consensus ratings system such as the Industry Proposal, with the understanding that, once established, the ratings system will not be changed in the foreseeable future.

As set forth in the 1996 Act,⁵ appropriate ratings categories for each program are to be encoded on line 21 of the Vertical Blanking Interval (VBI) once the FCC establishes a

² Pub. L. 104-104, 110 Stat. 56 (Feb. 8, 1996).

³ *Id.* at § 551(e).

⁴ *Id.* at § 551(a)(9).

⁵ *Id.* at § 551(d)(1).

has drafted an amendment to its current standard ("Recommended Practice for Line 21 Data Service")⁶ to provide for the transport of ratings information on line 21 of the VBI. This amendment has been approved by the Video Systems Committee, which is awaiting the Commission's approval of a ratings format so that the program content advisory specifications can be added to the standard. The Video Systems Committee has already determined that its system will be able to technically support a ratings scheme such as that put forward in the Industry Proposal.

We also emphasize that, once a ratings system has been approved by the Commission and mechanisms to receive and decode that system are placed in television receivers, changes in the ratings format (e.g., the number of levels or descriptive categories) cannot be made without rendering obsolete the receivers already in consumers' homes. Consumers purchase a new television receiver with a clear expectation that the receiver's features will last for several years. It is important, therefore, that the Commission adopt a ratings system which will serve well into the foreseeable future to ensure the continuation of receiver functionality.

As the industry responsible for final implementation of V-Chip decoding features, receiver manufacturers will play the pivotal role in the introduction and delivery of this new technology to the public. Therefore, CEMA requests that it be represented on any advisory committee charged with recommending a ratings system which the Commission chooses to form

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ANSI/EIA-608-1994.

as contemplated by the 1996 Act.⁷ CEMA's participation on such an advisory committee would help ensure that any resulting ratings system can be accommodated on line 21 of the VBI. Meanwhile, CEMA will continue to work closely with the FCC, Congress, and the programmers' "Implementation Group" to ensure that V-Chip capabilities are incorporated into receivers in an expeditious, technically viable, and consumer friendly manner.

Respectfully submitted,

CONSUMER ELECTRONICS
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⁷ *Id.* at § 551(w)(2).